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ATTORNEY AT LAW.
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Office on St. Clair Street, next door to Western Telegraph Office.
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Will practice in all the courts held in Frankfort, and in the adjoining counties. He will attend particularly to the collection of debts in any part of the State. All business connected with his office will be promptly attended to. Office on St. Clair street, near the Branch Bank of Kentucky. Jan. 12, 1890.

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Will practice in the Circuit and District Courts of Missouri, and the Circuit Court of the adjoining counties. Office on St. Clair street, near the Branch Bank of Kentucky. Jan. 12, 1890.

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If James Monroe will attend to the collection of claims to central Kentucky, also to the investigation of stockholders in Kentucky, on behalf of non-residents and others. Office on St. Clair street, near the Branch Bank of Kentucky. Jan. 12, 1890.

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BY R. G. HAMBLETON, M. D.
If operations on the teeth will be attended to by a dentist, the only safe way to insure uniform results. From this fact enabled to operate with far less pain to the patient, and with more perfect results. All work warranted. The machinery will show in detail. Calls will be promptly answered. Office, at his residence on Main street. Frankfort, May 2, 1890.

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Attorneys, Merchants, and Bankers.
Job Printers. Main street, Louisville, Ky.
Have constantly on hand a complete assortment of all kinds of Medical, Theological, Classical, School, and Miscellaneous Books, at low prices. Paper of every description, quality and price.
Office, 205 North 2nd street, Louisville, Ky. Jan. 12, 1890.

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COMMISSION AND FORWARDING
MERCHANT,
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Dealer in Agricultural Implements, Grain, Produce, Grass Seeds, &c., &c.
Prompt Attention to Receiving and Forwarding.
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Agent for the Valentine Fast Freight Express Line.
Time Receipts given to New York, Boston, Philadelphia, Baltimore, Pittsburg, Chicago, St. Louis, Memphis, New Orleans.
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Will practice law in the Court of Appeals, in the Circuit Court, and in all other State Courts held in Frankfort, and will attend to the collection of debts for non-residents in any part of the State. Always at home, every communication will be promptly answered, and will be promptly attended to. Office on St. Clair street, near the Branch Bank of Kentucky. Jan. 12, 1890.

BOOK BINDING.
A. C. Keene informs his friends and former customers, that he has purchased back from A. C. Hodges the Bindery and will give his whole attention to the management. He respectfully solicits a continuance of the patronage heretofore extended to the establishment. He will be furnished with RECORD BOOKS of any pattern, and of the very best quality of paper.
ALL KINDS OF BOOKS of every description, manufactured at short notice, to order, on reasonable terms.
Bindery at the old stand, over Harlan's Lumber Office.
Frankfort, July 12, 1887-73.

SETTLE UP! SETTLE UP!
PERSONS indebted to the estate of Mrs. Margaret Harlan, deceased, will please call on my office and settle their accounts. G. W. CRADDOCK, Adm'r.
Sept. 12, 1889-90.

Notice to the Holders of Kentucky State Bonds.
WHEREAS, by an act approved 1st of March, 1884, a \$150,000 of the bonds of the State of Kentucky, bearing date 1st of January, 1884, and payable on the presentation and delivery of said bonds in the city of New York, thirty years from the date thereof, but the State, on the face of said bonds, reserved the power to reimburse the principal sum at her pleasure, at any time after the expiration of fifteen years from the date thereof, which period will expire on the 1st day of January, 1899; Notice is hereby given that the money will be deposited in the Bank of America, in the city of New York, to pay said bonds on that day, and from and after that day no interest will be paid on said bonds.
And, whereas, the said bonds were issued under date of February 2nd, 1884, and March 1st, 1887, bearing date from the 7th of October, 1884, to 15th June, 1887, with a similar privilege reserved on the face of said bonds to pay at the end of fifteen years; Notice is also hereby given that said bonds will be paid at the Bank of America, New York, at the end of fifteen years from the date of each bond, and after that day no interest will be paid thereon.
By the Governor: C. M. MORRIS.
Major Brown, Secretary of State.
April 22, 1890.

PHOENIX FOUNDRY.
TENTH ST. BETWEEN MAIN AND CANAL,
OPPOSITE THE ARTESIAN WELL.
WM. H. GRAINGER, Agent, Manufacturer of Steam Engines and Machinery for Saw or Grist Mills, Coal Mines, &c., &c., Cranes, Girders, Hoist Ropes, Saw Blades, Carriage Shafts, Cotton Lint Segments, and all kinds of Cast Iron, Brass, and Steel. Also, all kinds of Machine Work, and all kinds of Repairs.
Hotchkiss' Reaction Water Wheels.
Or in or near Mills.
A large assortment of Patterns of Mill Gearing, &c. Castings made to the order and on hand.
WM. H. GRAINGER, Agent.
Louisville, Ky.
January 17, 1890-91.

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New Code of Practice, 1 Volume, both by
Hon. R. H. STANTON,
AND KENTUCKY REPORTS,
Together with a general stock of
Law and Miscellaneous Books.

At the Old Stand of Todd's Bookstore.
Persons from a distance wishing anything in the Law Book line can be supplied on liberal terms as by home in the country.
S. C. BULL.
Dec. 2-4-6-8-10. St. Clair St., Frankfort, Ky.

Reopening of the Mansion House.
The old and well-known Hotel has just been thoroughly repaired and refurnished, and will be open to the traveling public and boarders on the 1st inst. The present lease has been heretofore engaged to be kept, and from his experience in the business of the Mansion House, he is fully qualified to manage the same. He respectfully requests to stop with him.
Nov. 21, 1889-90.

A Small Farm for Sale.
WISH to sell my Farm one mile from Frankfort, on the Lexington Turnpike, containing between 40 and 50 acres of Kentucky river bottom land of the best quality. There is on the place a NEW FRAME DWELING HOUSE, containing four rooms and a bath, also, three or four hundred young trees of choice fruit. It is a good situation for a market garden. For terms, call on P. S. WIGGINS, Esq., Frankfort, Ky.
Aug. 22, 1889-90. JOHN P. HARRIS.

NEW ALBANY AND SALEM RAILROAD.
Short Line Route to the North & West.
Through to Chicago in 15 hours.
Through to St. Louis in 14 hours.
Through to Cairo in 20 hours.
Connections made with all Western Roads for any part of
ILLINOIS, MICHIGAN, WISCONSIN, IOWA, MISSOURI, KANSAS, &c., &c.
Fare as low as by any other Railroad or Steam Boat Route.
Frequent trains for places in any of the above States (excepting those with dispatch and slow rates). Ask for R. O. NORTON, Louisville.
For Through Tickets and rates of freight apply to SHORT LINE Railroad office 555, Main street, Louisville, Ky.
Aug. 21, 1889-90. R. O. NORTON, Agent.

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TWO Seat Rockaway, almost new, which will be sold cheap for cash or good paper.
June 12, 1889. S. HENLEY.

W. H. KEENE & CO'S COLUMN.
NEW FIRM.
W. H. KEENE. EDWARD HENLEY.
WHOLESALE AND RETAIL DEALERS IN
CHOICE GROCERIES, LIQUORS, TOBACCO, CIGARS,
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ALL KINDS OF COUNTRY PRODUCE.
St. Clair and Wapping Streets,
FRANKFORT, KY.
All accounts due 1st of January, May, and September, interest charged after maturity.

JANUARY 3, 1890.
GROCERIES, &c.
Old Government Java and Prime Rio Coffee; Golden Syrup, Sugar House and Plantation Molasses; German Castile and Toilet Soap; Tallow, Star and Sperm Candles; Mackerel, in assorted packages; Beans, plain and canvassed; Sides, clear and ribbed; Prunes, cherry and large; Flour, Meal and Salt; Nuts, (all kinds) Macaroni and Spaghetti, dried bread; Green and Black Tea; Teapots, all kinds; Tobacco and Cigars, every variety of brand; Old Brandies, Whisky & Wine, in bottles or on draft; Agricultural Implements of all kinds; Paints, Oils, Turpentine and Tar; Blasting and Mine Powder; Sausages, Pickles and Table Oil.

Paints, Oil and Varnish.
100 RUGS Linen and Col. White Lead
50 boxes Crown Green
50 boxes Crown Yellow
50 boxes Crown White
100 lbs. Red Lead
100 lbs. English Lamp Black
3 cases American Vermilion
50 boxes Japan Varnish
50 gallons Denar Varnish
15 gallons Copal Varnish
50 lbs. Best Dutch Turpentine
100 lbs. Turpentine, with full assortment of all kinds of
W. H. KEENE & CO. ST.
Dec. 21, 1889.

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30 boxes Claret
1,000 bottles Brandy and Sherry
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W. H. KEENE & CO.
April 23, 1890.

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D. R. BAAKEE
TREATS ALL DISEASES.
SPECIAL attention given to all chronic diseases—Coughs, Croup, Consumption, Influenza, Asthma, Bronchitis, all diseases of the Nose, Throat, Lungs, and Larynx, all SKIN DISEASES of every description successfully treated—Lecchosis, Locks, Acne, Scrofula, Eruptions, Gout, Rheumatism, Paralysis, Epilepsy, Convulsions, Diarrhea, Dysentery, Dropsy, &c. The very worst cases of Piles cured in a short time. Also diseases of the stomach, liver and bowels. There are many diseases incident to women and children which are treated with distinguished success. All particulars will be given by letter. Dr. Baakee can produce one thousand certificates of his perfect success in curing
Cancers, Old Sores, or Ulcers, Hip Diseases, Fistula of every description, Scald Head, Wens, Polypus of the Nose, Or in any other part of the body.
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Of every description, and without the use of the knife, or any surgical instruments. These last named diseases are cured by the use of the "Baakee's" method, therefore all such patients must place themselves under the Doctor's personal supervision.
Doctor Baakee has made a new discovery of "Fluid," that will produce absorption of the "Catarrh," and restore permanent vision to the EYE, without resort to the knife. All diseases of the
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Are successfully treated without the use of the knife or needles. Dr. Baakee has constantly on hand all the most successful and most useful of all
ARTIFICIAL EYES
AND
TYMPANUMS, OR EAR-DRUMS
which are suitable for either sex and all ages—inserted in five minutes. For Trusses of every description in the world—a large assortment of beautiful and durable
ARTIFICIAL HANDS,
with the Arm and Elbow attachment; ARTIFICIAL FEET, with the Ankle, Leg, and Knee-Joint attachment.
These articles are perfectly natural, and adapted for either sex, and can be used by expressing any part of the body to the Truss or to the Hand or Foot, and for every description, for either sex, and Trusses particularly adapted for females in a week condition; also for those with Paralysis of the Arm and Elbow.
Doctor Baakee is one of the most celebrated and skillful physicians and surgeons now living. His fame is known personally in every principal city of the world.
All letters directed to Dr. Baakee must contain ten cents, to pay postage and incidental expenses. All correspondence must be by registered mail, except those mentioned, which will require his personal supervision.
Office Hours from 9 A. M. to 4 P. M.
DOCTOR BAAKEE
Office, 704 Broadway, a few doors above Park St., New York City.
Dec. 13, 1889-90.

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ENGLISH AND CLASSICAL
FEMALE INSTITUTE.
BRIDGEPORT, KENTUCKY.
THE semi-annual sessions of this Institute commenced on the FIRST MONDAY IN FEBRUARY and the FIRST MONDAY IN SEPTEMBER, each year. The course of study embraces the Primary, Academic and Collegiate Departments, with the Modern Languages. The mode of instruction is thorough and scientific. To raise the standard of Female education is the greatest aim of the Institute. In this, "Visiting and Examining committees" of three will visit the school quarterly, and by their rigid examinations will prove, if possible, the value of the Institute. The course of instruction embraces four departments, and diplomas will be granted to students who successfully complete the course of study. The location is in the pleasant village of Bridgeport—five miles from Frankfort, and forty-eight from Louisville, which is unsurpassed for its salubrity and the morality and refinement of its inhabitants, making it a desirable place for the education of girls. It is convenient of access by the Louisville, Frankfort and Lexington railroad, and by daily stages from Frankfort, Shelbyville and Louisville. The young ladies board in the family of the Principal, and are under the personal care and kind supervision of the teachers. At the same time, the advantages of a refined social intercourse.
The Institute will continue twenty weeks, but pupils are admitted at any time, and charged to end of term. No deduction made for absence in cases of protracted illness. All bills to be paid in advance. Interest charged on all moneys not paid. We give as the pupils, and we will clearly demonstrate, that we give full value received.
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Tuition in Primary Department, 10.00
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Tuition in Latin, Greek, and Modern Languages, each, 5.00
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Board, from Monday till Friday evening, 40.00
Incidental expenses, 10.00
For further particulars, or Circular, address
J. H. GARDNER, Bridgeport, Ky.
Dec. 10, 1889.

THE SABBATH SCHOOL BELL.
A NEW collection of choice hymns and tunes, original and standard, carefully and simply arranged as solos, duets, trios, semi-choruses, and choruses, in all styles of music. This book contains nearly 200 hymns and tunes, and is one of the best collections for Sabbath Schools ever issued. Price 12 cents, 35 per hundred, postage 1 cent. Elegantly bound, 50 cents. \$1.50 per hundred, postage 3 cents. Among the large number of new and popular tunes may be found "Kind Words can never bring 'The Voice from Heaven,'" and "God is there." These were sung to some five thousand children and teachers at the Sunday School Convention at the Methodist Church, New York, and were highly appreciated. Nearly ten thousand copies have been sold. This book will be introduced to some of the largest schools in New York and Brooklyn. Among the number are Dr. Tyngh's, Dr. Hutten's, Dr. Gillette's, and Dr. McLane's.
J. H. GARDNER, Agent.
333 Broadway, N. Y.
May 2, 1889-90.

NEW STOCK
Fall and Winter Millinery Goods!
MRS. TILFORD
WOULD respectfully inform her numerous customers that she has received her Fall stock of Millinery Goods.
Persons in want of good bargains would do well to call on her before purchasing elsewhere, as she is satisfied she can suit the taste of the most fastidious.
Her rooms are on St. Clair Street, in the building formerly occupied as the Telegraph Office, near Mrs. Sneed & Robinson's Office.
She is in constant receipt of the latest styles for dresses, and solicits a share of the patronage of the citizens of Frankfort and vicinity.
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NEW OIL HOUSE!
Kanawha Cannel Coal Mining
—AND—
OIL MANUFACTURING COMPANY,
Office, No. 97, Walnut Street, CINCINNATI, O.
Manufacturers, Charleston, Virginia.
EXCELSIOR PARAFFINE OILS.
For Burning and Lubricating, free from all offensive odor.
Also, Elephant, Sperm, Whale, Neutrool and Lard Oils.
Address HASKINS, Agent,
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MRS. TILFORD
WOULD respectfully inform her numerous customers that she has received her Fall stock of Millinery Goods.
Persons in want of good bargains would do well to call on her before purchasing elsewhere, as she is satisfied she can suit the taste of the most fastidious.
Her rooms are on St. Clair Street, in the building formerly occupied as the Telegraph Office, near Mrs. Sneed & Robinson's Office.
She is in constant receipt of the latest styles for dresses, and solicits a share of the patronage of the citizens of Frankfort and vicinity.
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THE COMMONWEALTH.

FRANKFORT.

THOMAS M. GREEN, Editor.

FRIDAY, FEBRUARY 3, 1860.

To Members of the Legislature.

Extra copies of the *Daily Commonwealth*, put up in wrappers, ready for mailing, will be furnished at 2 cents each, and extra copies of the *Weekly* put up in wrappers at 4 cents each.

Gentlemen wishing extra copies of either the *Daily* or *Weekly* will please leave their orders beforehand at this office, or with JOHN M. TODD, in the H. R., or G. W. LEWIS, in the Senate, Reporters for this paper. Orders for the *Weekly* must be left by Saturday evening of each week, as it is published on Monday; and for the *Daily* the day before the publication of the paper which is wanted.

The long agony is at last over. Congress has been organized by the election of a very moderate, Republican Speaker—Gov. PENNINGTON, of New Jersey. Gov. Pennington is of Whig antecedents, but voted for Fremont and Dayton in 1856. He belongs to the Corwin School of Republicans, who are so moderate in their views that we are induced to believe that they would readily waive all action on the slavery question for the sake of harmony and peace. Certainly Mr. Pennington should never have received the vote of a solitary Southern Opposition Congressman, and we are gratified to see that they did all in their power to prevent the election of any one at all identified with the Republican organization. Now that their efforts were unsuccessful, we can only hope that the Speaker elect may discharge his duties fairly, impartially and efficiently. It is a matter of doubt whether or not the election of any able, sensible, and moderate man was not preferable to a continuation of the turmoil, strife, and ill blood, consequent upon the failure to organize. Still we would not have contributed to the result, but would have resisted it to the last. Now that an election has been had, we trust that Congress will for a time abandon the everlasting negro, and devote themselves to the practical business interests of the country.

On yesterday Mr. CINCINNATI made an able speech in opposition to the repeal of the law of 1833, which we trust will have a good effect upon the Senate. We repeat our earnest hope that the Senate will exercise the conservative power given to it by the Constitution and reject the House bill. As the law now stands, the farmer, the manufacturer, the mechanic, and every class of our citizens, can freely import slaves for their own use from other States, without restriction upon their being one which is absolutely necessary to make the purchaser careful that the slave shall be of good character. The law does not prohibit men who really need the labor of slaves for their own use from bringing into the State the only description of servitude which such men want or the good of the Commonwealth permits to be brought in. The penalty for selling slaves within a specified time is necessary to prevent their importation under false pretenses. The law only excludes the vicious and insubordinate slaves of other States, who are a curse to any community in which they may live. It does prohibit men from bringing slaves to Kentucky for the purpose of traffic, and this is the best feature of the bill. It does strike at the speculator in human flesh; at the buzzard who hovers about, seeking criminals, and unmanageable negroes, whom he can buy at a low price from those who are anxious to get rid of them, for the purpose of transporting them to localities where their infamous and dangerous character is unknown, and then selling them at the peril of the lives and property of the buyers, and of what is more precious than either life or property—the honor of those dearest to them; can any humane man, can any slaveholder object to this?

SENATOR FISK AND THE BANK OFFICERS.—In his argument against the bill to increase the capital of the Commercial Bank, and allow it to create additional branches, Senator Fisk took occasion to make a sweeping charge against the bank officers of the State as being men who had not capacity to manage their own private business, but who had failed as commission merchants, &c. He mentioned as among the honorable exceptions the Senator (Taylor) from Mason, who was a Bank President, and he had never failed in anything he undertook. He said he well remembered the importation of such bank officers into Maysville, as he had described, while he lived there, but he would not designate them by name.

Mr. Pennebaker replied to these remarks of Mr. Fisk, and showed that the charge was unjust and untrue so far as the Louisville Bank officers were concerned. They were all, with one single exception, gentlemen of fortune, who have made their own fortunes by their own industry and economy. And the bond of the gentleman mentioned as an exception, was ample with the very best security for all his liability as cashier.

Mr. Pennebaker further stated that there was no ground for such charges against the officers of any of the Banks of Kentucky. The character of the banks require their officers to be solvent men, or to be made so by ample bonds. They are all good, reliable, accommodating gentlemen—many of them men of large fortune, who have retired from business with their own earnings invested in stocks, and have been honored by election to their offices from their known worth and integrity. This is the character of the Bank officers of Kentucky so far as Louisville is concerned, and he believed it was so every where else. He could not say whether it was so in Mr. Fisk's city; he knows best as to the character of the citizens of Covington, but Mr. Pennebaker did not believe that there were such bank officers even in Covington.

Experience is probably the best teacher, and Dr. Bull seems to have concentrated the teachings of a long medical life in the preparation of his *Vegetable Worm Destroyer*. Its effects upon the worms are magical, while the form of candy drops in which it is prepared, renders children very fond of it. No mother should be without it.

Kentucky State Agricultural Society.

The next State Fair.

A meeting of the Board of Directors of the State Agricultural Society, will be held at Frankfort, on the 23d day of February, 1860, for the purpose, among other business, of receiving from the several local Societies in the State, propositions for holding with them the *Fifth Annual Kentucky State Fair*. Parties making propositions will please accompany them by statements of the extent of their grounds, the site and character of their buildings, fences, &c., and the nature of the public thoroughfares by which they are reached.

At this meeting, many public documents will be ready for distribution to members of the State Society, and also for delivery to officers of County or District Societies for distribution among their members.

L. J. BRADFORD, Pres't.

The patriotic speech of Hon. J. J. Crittenden at the Peyton dinner has called down upon him angry denunciations from some of the Democratic press, who cannot bear that any attempt shall be made to rid the country of the sectional jealousies engendered by their miserable blunders in managing the affairs of Government. A brainless editor in Southern Kentucky sneers at Mr. Crittenden's devotion to the country, and attributes his remarks to selfish motives. The hatred which the Democracy cherish for the Union is so great that they doubt the sincerity of those whose noblest efforts have been made in advocating its preservation. It is eminently appropriate that an avowed nullifier should become the traducer of one whose life has been spent in maintaining the laws.

The Calico Ball.—The Ball on Wednesday night was a complete success, and all united in regarding it as the most brilliant one yet given by the Club. The expressions of satisfaction are universal. The dresses were beautiful, the fair wearers never having looked more charming. From the flaring red to the deep blue, every variety of color and hue were there, setting off to the finest advantage the fair forms of many of the most beautiful of Earth's daughters. The entire scene had a homelike appearance which gave the bachelors the blues, which could only be driven away by the sweet hopes inspired by the bright eyes around them. Ladies decked in silks, satins and laces are certainly dangerous, but in calico they are perfectly irresistible.

We were pleased to see the gallant Senator from Breckinridge, (Mr. BAUMBAUGH), in his seat on yesterday dressed in a very handsome suit of homespun, just such a suit as was suitable for the "Calico Ball" which took place the night before. We would like to see the example of Senator Bruner and Senator Andrews, (who has been wearing a domestic suit all the winter,) followed, not only by other Senators, but our citizens generally. We are in favor of the American system, and the encouragement of our own home manufacturers. The example of the gallant young Senators named is commendable, and their domestic suits are very handsome.

Our young friend Senator HAYSTACK, being a promising young gentleman, tells us that he will follow the example of the Senators from Breckinridge and Fleming, by appearing hereafter dressed in brown jeans small clothes.

The peculiarities of the female constitution and the various trials to which the sex is subjected, demand an occasional recourse to stimulants. It is important, however, that these shall be of a harmless nature, and at the same time accomplish the desired end. Hostetter's Celebrated Stomach Bitters is the very article. Its effects in all cases of debility are almost magical. It restores the tone of the digestive organs, infuses fresh vitality into the whole system, and gives that cheerfulness to the temperament, which is the most valuable of feminine attractions. The proprietors feel flattered from the fact that many of the most prominent medical gentlemen in the Union have bestowed encomiums upon the Bitters, the virtues of which they have frequently tested and acknowledged. There are numerous counterfeits offered for sale, all of which are destitute of merit, and positively injurious to the system.

We call attention to the advertisement headed "Information wanted." Any member of the Legislature who knows anything of the families mentioned, will confer a favor by making it known at this or the Yeoman office, or by addressing C. H. BARKLEY, Louisville.

From the Trinity (Texas) Advocate we learn that the citizens of Anderson county held a meeting to take into consideration the abolition and incendiary publications in the country.

After passing the most patriotic resolutions, they collected from the book-store such publications as were considered incendiary in their character, and there burned them in the presence of a large crowd.

The Washington correspondent of the Cincinnati Enquirer says: "It is stated here that Col. Thomas L. Crittenden, of Louisville, will immediately organize a regiment the moment vigorous measures are taken to carry out the President's recommendation in regard to Mexico."

Rev. Joseph Addison Alexander, D. D., Professor of Biblical and Ecclesiastical History in Princeton College, N. J., died on Saturday, aged 51 years.

DOMESTIC TRAGEDY.—A man named Thomas Faulkner, of Halifax county, Va., who, while intoxicated, had a habit of amusing himself by frightening his wife, carried his joke a little too far a few days since. The *Ecce* says:

On this, as on previous occasions, he declared his intention of hanging himself. This he had done before, and had tied the rope to the joint, and then around his neck, always taking care, however, to have it long enough, so that, in stepping from the chair, box, or whatever he used on the occasion to elevate himself, he would easily reach the floor. On this occasion he tied the rope too short, and when he stepped from his elevation, instead of reaching the floor, broke his neck.

A Washington dispatch says: Gov. Thomas does not take his place as Commissioner of Patents till March 1st, on account of private affairs. The business of the office will go on as usual. It is thought that McClintock, of Pittsburgh, will receive the nomination to the vacant U. S. Treasuryship. There are two or three applicants for it.

Substance of the Remarks of Mr. Burman, of Madison, addressed in the House of Representatives, on the 11th of February, 1860.

Mr. BURMAN said: The bill now under consideration was, at an early day of the session, reported by the committee on Revised Statutes, with an expression of opinion that it ought to be passed into a law. The bill is substantially the same as one passed by a large majority in the House of Representatives of the last Legislature, but which failed in the Senate on account of the lateness in the session in which it was called up. I am greatly surprised in the action of the Judiciary committee, who have reported this bill back to the House with expressions of hostility to its passage. My opinion, however, stands unaffected by their adverse report, and I trust the House, disregarding their report, will pass the bill. I propose briefly to state the reasons for this opinion.

In all common law suits in this State, juries are constituted the judges of the facts. By the act of 1797, which authorized wills to be contested in chancery, it was provided that a jury should be impaneled to try the issue, whether the writing in controversy was or not the true last will and testament of the testator, and the law gave to the verdict of the jury the same force and effect that such verdicts have in all common law cases, neither more nor less. That law remained in force from the date of its enactment, in 1798, until the year 1853, when the Revised Statutes went into effect. It has been said by two of the commissioners entrusted with the revision of the Statutes, that the chapter on wills was not designed to change the effects of the verdicts of juries in will cases from what it was before, and by a large number of the most distinguished members of the legal profession it is contended that its language does not make this change. The Court of Appeals, however, in the case of *Owston vs. Owston's ex'rs*, reported in the 15th volume of Ben. Monroe's reports, in the case of *Hooter's will*, (manuscript opinion), and in other cases have decided otherwise.

Will cases are usually attacked upon three grounds, or one or more of them: Want of disposing capacity in the testator; undue influence brought to bear upon the maker of the will by similar influences; or fraud in the procurement of the paper set up and relied on as a valid will.

Now, Sir, upon the same grounds every other instrument of writing, and every verbal contract, or other transaction, which may be made the subject matter of litigation in courts, may be assailed and tried before the jury. The judges of the facts. In the trial of indictments for murder, and all kinds of felonies, juries are the judges of the facts, and the main fact of the capacity of the accused to commit the crime for which he stands indicted and arraigned. Why should juries be made the judges of the facts in all other cases, civil and criminal, and not be in will cases? In those, and in all other cases, it is the province and duty of the court to instruct the jury what legal capacity is, what undue influence is, and what fraud is, and in all, except the first class wherein the validity of the will is questioned, the jury apply the facts, and judge of their credibility, force and effect, and decide whether the facts proved come up to the standard of capacity, undue influence, or fraud, as expounded by the court. Juries also did this in will cases in the commonwealth during a period of fifty-five years, and why shall not this power be restored to them? Why, I repeat the inquiry, and demand of the Honorable Chairman of the Judiciary committee an answer, are juries not competent to exercise this power in will cases as in all others?

Sir, I avow it as my deliberate conviction, that juries are much safer depositories and triers of facts than courts. The latter are composed of men, withdrawn in a great degree from the pursuits and ordinary business of the masses of mankind, and whose judgments of classes of facts are often permanently impressed and warped by previous professional engagements. Twelve common sense men, of good character, selected from the mass of society, familiar with the pursuits and business of the people, familiar with their motives and the principles and forces that act upon them, and of the expedients and machinery which they employ to forward their ends, are much more reliable and safer judges of the application and effects of facts, than judges whose duties abstract them from the daily pursuits which constitute the chief interests of society.

The opportunity and legal means by which wills may be contested are given not to subvert wills properly made; not to impair that great right, secured to all men of sound minds and proper feelings, to dispose, by last will and testament, of the accumulations of their industry and inherited estate, and which I would be the last man on this floor to overthrow or to impair. I know, as every citizen knows, that the "old age in apt to be solitary and neglected, and that the wills of old and feeble men should be regarded with the greatest tenderness and care. The restoration of the power formerly conferred on juries proposed by this bill, in no wise conflicts with this time honored legal principle. But the legal right to contest wills is given to prevent wicked and crafty and interested persons from making wills for old, aged, and infirm persons, and to prevent children and relations living with aged and childless parents, and who have obtained an undue influence over them from procuring those under their domination and control to make wills, devising to their property, disinheriting wholly, or, to a great extent, other children who may have left the family. It is to prevent crafty priests in the dying hour, slaves in the solitude of friendless chambers, and all intriguers daily associated with others, whose mind, will, and health have been enfeebled by age, disease and dissipated habits, from concocting fraudulent wills to be executed by such aged, infirm and dissipated persons, securing estates to themselves, and excluding those who have an equal natural right to the property of common ancestors. It is to prevent these things that the law guarantees the right to contest wills, and in such cases juries are much safer judges than courts. If this proposition be denied, and the honorable Judiciary committee think juries unfit to decide on facts, why have they not recommended the abolishment of jury trials altogether?

This they dare not do. The trial by jury is one of the greatest bulwarks thrown around the rights and liberties of the citizen. It has descended to us as one of the leading principles of that great charter of English freedom, wrung out at Runnymede by the barons of England, from the fears of an ambitious and grasping despot. If a jury abuse its power in a will case, the court can give the same remedy that exists in all other cases by granting a new trial.

Our Supreme Court has decided that a verdict of a jury, in a will case, under the Revised Statutes, shall have, in the Circuit Court, the same effect that it has in ordinary jury cases, which the Court of Appeals, the same verdict shall have no effect whatever. Surely the revisers could not have intended a provision so absurd, even if their language be crude enough to authorize such a construction. While the courts are to be respected and sustained in their just powers and authority, they too are the proper subjects of vigilant supervision. There is no power to correct the judgments of our highest courts. I repeat, Sir, that it is always subject to abuse. The tendency of power is continually to draw to themselves more power. Hence courts are ever prone to encroach on the powers and rights of juries. They too, must be watched. Why, Sir, should not the courts be compelled by this bill to restore to juries, in will cases, that portion of their power and rights which has been usurped?

In a late conversation with one of the ablest and most distinguished lawyers and jurists in this State (Hon. Mr. Davis, of Bourbon), and whose views upon this bill perfectly accord with my own, he stated to me that in twelve years, during which time he had been engaged in more than thirty will cases, sometimes for and sometimes against them, he had never yet known a will sustained by the verdict of a jury that

ought not to have been sustained, or will set aside, that ought not to have been condemned, either from want of capacity on the part of the testator, or the undue influence of the devisors or some of them. Such has been the result of my own more limited experience. I go farther and say, that in my judgment a number of those wills, of which we have reported accounts in the various volumes of the Kentucky decisions, and which have been established by the mandates of the courts, should have been annulled and rejected with contempt. It is not necessary to name them, for many of them will immediately recur to the memory of the lawyers on this floor.

There are, Mr. Speaker, other important considerations which address themselves to my mind with great force in favor of the passage of this bill. In the earlier history of the State, will cases were directly appealable from the County Courts to the Court of Appeals, and the witnesses could be summoned in person before the latter court. By the act of — (Loughborough's Digest, 585,) this law was changed, and since appeals in these cases are brought up only from the Circuit Court to the Court of Appeals. Well now, Sir, in this class of cases, as well known, there are always many witnesses examined, and bills of exceptions, no matter how carefully prepared, never do, in fact, portray the case as it was seen by the inferior courts. On paper the testimony of one man, carefully written out, looks as well as that of another, when the witnesses when they testified, observed their deportment and knew their soundings might justly have given more credit to one than another, though, according to the strict rules of evidence, the character of neither could have been successfully attacked.

I regard this bill as one of great importance. It is, in no respect, revolutionary or disorganizing. It involves no change in the status laws that looks forward to a mere speculative and conjectural benefit. It only requires that when, hereafter, a cause is brought to the Court of Appeals, from one of the Circuit Courts of this Commonwealth, in which the validity of a will is the subject of controversy, and in reversed, the effect of that reversal shall be to have the cause remanded to the Circuit Court for a *renu* *facies de novo*, and now that a mandate shall directly issue to the County Court of the county in which the testator died, directing the will to be either recorded or rejected. In the absence of any written report from the committee, showing its prejudicial influence, and when my convictions are shaken by the eloquent appeal of my friend from Louisville and Lexington, (Messrs. Wolfe and Buckner,) I close with an earnest appeal to the House to sustain the provisions of the bill as eminently wise, conservative and just.

COURT OF APPEALS.

THURSDAY, February 2, 1860.

CAUSES DECIDED.

Fowler vs. Cooper, Henderson; affirmed.
Ekins vs. Gross et al, Henderson; affirmed.
Lemmon vs. Huey, Grant; affirmed.
Dick v. Ragle et al, Clinton; reversed.

Onias.

Morgan v. Gutch, Lincoln; motion to affirm as delay case overruled.

Dunn vs. Glave, Harrison; same order.

Young v. Dittus et al, Harding; petition for rehearing overruled.

Kennedy & Bro v. Cunningham, Bourbon; petition for rehearing filed.

O'Bannon v. Koper, Lou. Ch'ry; affidavit filed and order of ruling.

Fassmore v. Fassmore, Mercer;

Chandler v. Watts, Mercer;

Wright's adm'r v. Harris, Mercer;

Terhune v. Terhune, Mercer;

Bottom v. Condon, Mercer;

Fassmore's heirs v. Adkerson, Mercer—were submitted on briefs.

Tudor v. Lewis, Madison;

Murrell Trustee v. Bybee, Warren;

Same v. Crane, Warren; same argued by Bell for appellee and Underwood for appellants.

Hardin v. Chapman, Warren—argued by Harlan for appellee.

COLUMBUS, Ohio, Feb. 1.

Chase was nominated for U. S. Senator in the Republican caucus to-night on the first ballot.—Election to-morrow.

DIED.

In Lebanon, Ky., on the 25th ult., JOHN D. YATES, only son of Mrs. Martha Yates, in the 19th year of his age.

In the city of Louisville, on Wednesday, February 1st, 1860, Geo. R. PENTON, Esq., of the firm of Martin & Penton.

Proclamation by the Governor.

\$400 REWARD.

COMMONWEALTH OF KENTUCKY,

Executive Department.

WHEREAS, it has been made known to me that J. H. McCarty did kill and murder one John Wiggins, in the county of Graves, fled from justice, and is now going at large.

Now, therefore, I, BERRIAH MAGOFFIN, Governor of the aforesaid Commonwealth, do hereby offer a reward of Four Hundred Dollars for the apprehension of said J. H. McCarty, and his delivery to the Jail of Graves county, within one year from the date hereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed. Done at Frankfort, this 1st day of February, A. D. 1860, and in the 6th year of the Commonwealth.

By the Governor, B. MAGOFFIN.

THOS. B. MAXWELL, Jr., Secretary of State.

Feb. 3, 1860—w4w3m.

INFORMATION WANTED.

Of widows or heirs of the following named Revolutionary Pensioners who once lived in Kentucky:—

Wm. Bond, John Johnson, William Lattimer, John G. Marple, Andrew Parker, Thomas Porter, Thomas Simpson, Christopher Strong, John Taylor, Joseph Walker, Wm. Williamson, Wm. Warren, and Harris Wynn.

Any person who knows anything of the families of any of the above named persons, or who has any letter to this or the Yeoman office, or by letter to C. H. BARKLEY, Louisville, Ky.

Who can give important information to them.

FOR SALE.

I wish to sell the U. S. lately occupied by Latta & Samuel, in South Frankfort. For particulars call on Dr. H. Roman.

Feb. 2, 1860—w4w3m.

THE KENTUCKY MILITARY INSTITUTE.

THE INSTITUTE IS DIRECTED BY A BOARD OF VISITORS appointed by the State, and under the superintendence of Col. G. W. MORRIS, a distinguished graduate of West Point, and a practical Engineer, aided by a staff of Faculty.

The course of study has all that is taught in Colleges, and more in Mathematics, Mechanics, Machines, Construction of Agriculture and Domestic Animals, and Modern Languages.

Schools of Architecture, Engineering, Commerce, Medicine, and Law, all of which are taught in this means, and object of professional preparation.

The twenty-sixth session will open February 1, 1860, and the first term will be paid in advance.

Address the Superintendent, at "Military Institute," Franklin Springs, Ky., or the undersigned.

Feb. 1, 1860—by.

President of the Board.

FRANKLIN HOUSE.

South Frankfort, Ky.

THIS HOUSE is now open for the accommodation of Boarders and the Travelling Public. My old friends and the public are respectfully invited to give me a call, as my best endeavors shall be used to merit a share of the public patronage.

Dec. 7, 1859—6m.

WOOD FOR SALE.

I CAN supply the citizens of Frankfort with Wood. By sending their orders to my Stable, near the Railroad Depot, they can get and within one hour at any time. Price \$3 per Cord, or \$1.50 for a Half Cord. Orders solicited.

Nov. 28, 1859—6m.

JOHN HENDERSON.

SPECIAL NOTICES.

STATE OF KENTUCKY, S.S.

FRANKLIN COUNTY COURT, January Term, 1860. ORDERED that all the delinquents in this County be directed to pay their arrears of Taxes on or before the third Monday in March next. Ordered that the names of all delinquents who shall appear at that time will be published in the newspapers of Frankfort. A. H. HENNING, C. F. C. C.

Bridgeport Female Institute.

This new and prosperous institution, now in successful operation, will open its next Session on the First Monday of February, 1860. The Teachers, flattered by signal success in teaching heretofore, are determined not to be excelled by any rival institution of a kindred character in this vicinity. Give us the pupils and we will clearly demonstrate that in each instance we give value received. J. HERVEY GARDNER, A. M. (From Va.) Principal and Preceptor.

Miss LUCY H. BALDWIN, from Ohio, and for the last three years Teacher in Mrs. Tappin's School, Shelbyville, Preceptress. (Bridgeport, Ky., Jan. 31, 1860.

MEXICAN MUSTANG LINIMENT.

From rich and poor, bond and free, all colors, grades and conditions of life, we hear the same need of praise awarded this wonderful article. Sores are healed, pains relieved, ill-fated, valuable animals made useful, and untold ill-effects by this great medicine, which is surprising to the judgment of man. What family does not require a standard Liniment. Who ever heard of the same effects produced by any other article? For Cuts, Bruises, Sprains, Rheumatism, Swellings, Strained Muscles, &c., it has no equal. *Be aware of imitations.* The genuine Mustang Liniment is sold by all respectable Druggists and Livestock Men in every town, parish and hamlet throughout North and South America, Europe, and the Islands of the Ocean. Buy at once. BARNES & PARK, Proprietors, New York.

Jan. 14, 1860.

A CARD TO THE SUFFERING.

The Rev. WILLIAM CONROVSKY, while laboring as a missionary in Japan, was cured of Consumption, when all other means had failed, by a recipe obtained from a learned physician residing in the great city of Jeddo. This recipe has cured great numbers who were suffering from Consumption, Bronchitis, Sore Throat, Coughs, and Colds, and the debility and nervous depression caused by these disorders. Desirous of benefiting others, I will send this recipe, which I have brought home with me, to all who need it, free of charge. Address, REV. Wm. CONROVSKY, 330 Baltic Street, Brooklyn, N. Y.

Jan. 16, 1860—3m.

I. O. O. F.

Phoenix Lodge, No. 28, I. O. O. F., Meets at their Hall, on St. Clair Street, over Page, Galusha & Page's Grocery Store, in the Third Story, every Tuesday Evening, at 7 o'clock. Transient members in good standing are fraternally invited to attend. Entrance to the Hall, one door below Page, Galusha & Page's Grocery Store. By order of the Lodge. Dec. 8, 1859—4s.

JOHN W. PRUETT, Sec'y.

MASONIC NOTICE.

Hiram Lodge, No. 4, meets on the Second and Fourth Monday Evenings in each month, at 7 o'clock, P. M., in their Lodge room in the Third Story over Page, Galusha & Page's Grocery Store, adjoining the Commonwealth Office, on Saint Clair Street. Members of the Legislature who are Masons, and other visiting Brethren, are cordially invited to attend the meetings. By order of the Lodge. Dec. 2, 1859—4s.

G. W. LEWIS, Secretary.

LUMBER YARD.

We have again established a Lumber Yard in Frankfort, on the lot at the intersection of Washington and Main Streets, where will be kept, at all times, a full assortment of Poplar, Oak, Ash and Walnut Lumber, which will be sold upon reasonable terms for Cash. Dec. 2, 1859.

J. H. & L. E. HARVIE.

REMOVAL.

H. RUNYAN

Has removed his store two doors above his old stand. He is selling his Goods, we are informed, at the lowest possible rate for cash. Give him a call. We repeat what we said before, Runyan is all right.

Frankfort, Nov. 14, 1859.

H. WHITTINGHAM,

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